

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
5:10-CR-39-F-1

UNITED STATES OF AMERICA

v.

ANGELOS VANGELOS,

Defendant.

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ORDER

This case came before the court today on whether defendant is competent within the meaning of 18 U.S.C. § 4241 to participate in proceedings on the motion to revoke his supervised release filed 15 October 2012 (D.E. 30). At the hearing, the government was represented by Assistant United States Attorney Eric Evenson and defendant, who was present in the courtroom, was represented by Assistant Federal Defender Edwin C. Walker.

The court advised defendant of his rights under 18 U.S.C. § 4247(d). Without objection, the court then accepted into evidence the Forensic Report dated and filed 9 January 2013 (D.E. 41), which was prepared at the Federal Correctional Institution at Butner, North Carolina, pursuant to the order entered 2 November 2012 order (D.E. 35). The Forensic Report determined that defendant is competent. Neither the government nor defendant offered further evidence, or contested the conclusion in the Forensic Report that defendant is competent to proceed.

Based on the findings and conclusions in the Forensic Report, the court FINDS by a preponderance of the evidence, pursuant to 18 U.S.C. § 4241(d), that defendant is not presently suffering from a mental disease or defect rendering him mentally incompetent to the extent that he is unable to understand the nature and consequences of the proceedings against him and to

assist properly in his defense. Accordingly, the court DIRECTS that the proceedings on the motion to revoke defendant's supervised release move forward.

SO ORDERED, this the 17th day of January 2013.



James E. Gates
United States Magistrate Judge